

THE HONORABLE JOHN H. CHUN

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

JENNIFER CARRERA, CAROL
ANDERSON, and BECKY JO PALMER,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

WHITEPAGES, INC.,

Defendant.

Case No. 2:24-cv-01408-JHC

NOTE ON MOTION CALENDAR:

January 14, 2025

**DECLARATION OF TYLER K. SOMES
IN SUPPORT OF PLAINTIFFS' OPPOSITION
TO DEFENDANT'S MOTION TO COMPEL ARBITRATION**

1 I, Tyler K. Somes, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746 and
2 based on my own personal knowledge, that the following statements are true:

3 1. I am an attorney at the law firm Hedin LLP and a member in good standing of the
4 District of Columbia Bar, and I submit this declaration in support of Plaintiffs' Opposition to
5 Defendant's Motion to Compel Arbitration in the above-captioned action.

6 2. From 2021 to 2022, I served as law clerk to the Honorable Richard C. Wesley,
7 Senior Judge on the United States Court of Appeals for the Second Circuit.

8 3. Before joining Hedin LLP, I worked for four years at a large commercial law firm
9 in Washington, DC and Austin, Texas, where I represented plaintiffs and defendants in a range
10 of commercial litigation matters.

11 4. I joined Hedin LLP in August 2024.

12 5. Frank Hedin is the owner of Hedin LLP.

13 6. I represent Plaintiffs Jennifer Carrera, Carol Anderson, and Becky Jo Palmer
14 ("Plaintiffs") in the above-captioned action.

15 7. On September 5, 2024, Plaintiffs filed this action against Defendant Whitepages,
16 Inc. stating one count of misappropriation under four different states' right of publicity statutes.
17 *See* ECF No. 1.

18 8. On November 8, 2024, Defendant filed a motion to compel arbitration. *See* ECF
19 No. 16.

20 9. On November 5, 2024, I accessed Defendant's website www.whitepages.com and
21 took the screenshots attached as Exhibit A.

22 10. The screenshots attached as Exhibit A depict the consecutive steps of my
23 navigation through Defendant's website www.whitepages.com.

1 11. I accessed www.whitepages.com by entering a query on www.google.com for the
2 words “frank hedin whitepages.” The first result to the query was a link to the website
3 www.whitepages.com/name/frank-hedin. While accessing and navigating the website, I was
4 never confronted with a “pop-up” referencing Defendant’s Terms of Service. On the “checkout”
5 page, I did not check the box indicating assent to the Terms of Service.

6 12. The screenshots attached as Exhibit A show that an individual can access internal
7 pages on www.whitepages.com without ever encountering the site’s home page, bearing witness
8 to a “pop-up” referencing the Terms of Service, or manifesting assent to the Terms of Service.

9 13. I declare, under penalty of perjury, pursuant to the laws of the United States of
10 America that the foregoing is true and correct.

11
12 Executed this 26th day of December, 2024, in Honeoye Falls, New York.

13
14 /s/ Tyler K. Somes
15 Tyler K. Somes
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EXHIBIT A



frank hedin whitepages



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Tools



Whitepages

<https://www.whitepages.com> > ... > H > Hedin

Frank Hedin Address & Phone Number

View **Frank Hedin** results including current home address, phone number, relatives & property records with **Whitepages**. We found 1 person named **Frank Hedin** in ...



Whitepages

<https://www.whitepages.com> > ... > Florida > Miami > H

Miami, FL White Pages - Last name: Hedin

Lookup people with the last name **Hedin** in the Miami, Florida (FL) **white pages** phone book to find Phone Numbers, Addresses & More.



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Frank Hedin, Hedin Hall

Frank Hedin ... This page is a profile of **Frank Hedin** which lists the cases **Frank Hedin** has worked on and articles about those cases. ... **Whitepages** Inc, Washington ...



Whitepages

<https://www.whitepages.com> > ... > H > Hedin

Thomas Hedin Address & Phone Number

Who are Thomas Hedin's relatives? Thomas Hedin's family members include Hugh Hedin, **Frank Hedin**, and Joan Hedin. What age is Thomas Hedin? Thomas Hedin is in ...



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Frank Hedin, Hedin Hall

Frank Hedin was listed as an attorney at the law firm Hedin Hall on the following cases. This page is a profile of **Frank Hedin** which lists the cases Frank ...

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AGE
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Miami, FL (Brickell Key)



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Age 39 | Miami, FL

Addresses Duluth, MN; San Diego, CA

Relatives Paula Sofie Buzzi, Hugh A Hedin, Joan A Hedin, Thomas F Hedin

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- Laurie

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/ - Select One -

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